

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION**

WAGSTAFF & CARTMELL, L.L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 4:18-cv-00870-GAF
	)	
NEAL R. LEWIS,	)	
	)	
Defendant.	)	

**PLAINTIFF WAGSTAFF & CARTMELL L.L.P.’s**  
**MOTION TO EXCLUDE THE EXPERT TESTIMONY OF NEAL R. LEWIS**

Plaintiff Wagstaff & Cartmell, L.L.P. (“Wagstaff”) respectfully moves this Court, under Rule 702 of the Federal Rules of Civil Procedure and the standards laid out in *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), to exclude the proffered expert testimony of Defendant Neal R. Lewis. As detailed in Wagstaff’s Suggestions in Support, Lewis did not use reliable facts or data to support his opinions; his opinions would not be helpful to the trier of fact; his opinions are not reliable; and he is not qualified to opine about the value of legal services. For these reasons, and those expressed in the Suggestions in Support, the Court should preclude Lewis from testifying as an expert on his own behalf.

**DATED** this 7th day of August, 2020.

Respectfully submitted,

/s/ Dane C. Martin

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**ATTORNEYS FOR PLAINTIFF**

### **CERTIFICATE OF SERVICE**

I hereby certify that I filed the foregoing on August 7, 2020, using the Court's CM/ECF electronic filing service, thereby sending notice of the filing to all counsel of record.

/s/ Dane C. Martin

Attorney for Plaintiff